



General Assembly

February Session, 2012

Raised Bill No. 5506

LCO No. 2218

02218_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING GOOD SAMARITAN PROTECTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 52-557b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (a) A person licensed to practice medicine and surgery under the
5 provisions of chapter 370 or dentistry under the provisions of section
6 20-106 or members of the same professions licensed to practice in any
7 other state of the United States, a person licensed as a registered nurse
8 under section 20-93 or 20-94 or certified as a licensed practical nurse
9 under section 20-96 or 20-97, a medical technician or any person
10 operating a cardiopulmonary resuscitator or a person trained in
11 cardiopulmonary resuscitation in accordance with the [standards]
12 guidelines set forth by the American Red Cross or American Heart
13 Association, or a person operating an automatic external defibrillator,
14 who, voluntarily and gratuitously and other than in the ordinary
15 course of such person's employment or practice, renders emergency
16 medical or professional assistance to a person in need thereof, shall not

17 be liable to such person assisted for civil damages for any personal
 18 injuries which result from acts or omissions by such person in
 19 rendering the emergency care, which may constitute ordinary
 20 negligence. A person or entity that provides or maintains an automatic
 21 external defibrillator shall not be liable for the acts or omissions of the
 22 person or entity in providing or maintaining the automatic external
 23 defibrillator, which may constitute ordinary negligence. The immunity
 24 provided in this subsection does not apply to acts or omissions
 25 constituting gross, wilful or wanton negligence. With respect to the use
 26 of an automatic external defibrillator, the immunity provided in this
 27 subsection shall only apply to acts or omissions involving the use of an
 28 automatic external defibrillator in the rendering of emergency care.
 29 Nothing in this subsection shall be construed to exempt paid or
 30 volunteer firefighters, police officers or emergency medical services
 31 personnel from completing training in cardiopulmonary resuscitation
 32 or in the use of an automatic external defibrillator in accordance with
 33 the [standard] guidelines set forth by the American Red Cross or
 34 American Heart Association. For the purposes of this subsection,
 35 "automatic external defibrillator" means a device that: (1) Is used to
 36 administer an electric shock through the chest wall to the heart; (2)
 37 contains internal decision-making electronics, microcomputers or
 38 special software that allows it to interpret physiologic signals, make
 39 medical diagnosis and, if necessary, apply therapy; (3) guides the user
 40 through the process of using the device by audible or visual prompts;
 41 and (4) does not require the user to employ any discretion or judgment
 42 in its use.

43 Sec. 2. (NEW) (*Effective October 1, 2012*) (a) For purposes of this
 44 section:

45 (1) "Political subdivision" means any city, town, municipality,
 46 borough or other unit of local government; and

47 (2) "Temporary emergency shelter" means facilities which provide
 48 emergency shelter for a specified, limited period of time.

49 (b) In the event that the Governor declares the existence of a civil
50 preparedness emergency, pursuant to section 28-9 of the general
51 statutes, and (1) the chief elected official or the chief executive officer
52 of a political subdivision of the state, or (2) a nonprofit organization
53 which is exempt from taxation pursuant to Section 501(c)(3) of the
54 Internal Revenue Code of 1986, as from time to time amended,
55 establishes one or more temporary emergency shelters for the benefit
56 of residents of the state, any employee, officer or agent of the political
57 subdivision, any employee, officer or agent of the nonprofit
58 organization, or any volunteer assisting the political subdivision or
59 nonprofit organization in the operation of a temporary emergency
60 shelter, who renders assistance to a resident taking refuge at such
61 temporary emergency shelter, shall not be liable to such resident
62 assisted for civil damages for any personal injuries which result from
63 acts or omissions by such employee, officer, agent or volunteer in
64 rendering assistance to such resident which may constitute ordinary
65 negligence. The immunity provided in this subsection does not apply
66 to acts or omissions constituting gross, wilful or wanton negligence.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	52-557b(a)
Sec. 2	<i>October 1, 2012</i>	New section

Statement of Purpose:

To (1) amend section 52-557b of the general statutes to properly reflect that the American Red Cross and the American Heart Association publish guidelines relating to cardiopulmonary resuscitation training, and (2) to extend good samaritan protections to certain individuals who provide assistance at temporary emergency shelters established after the Governor has declared a civil preparedness emergency.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]